UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,188	02/08/2001	Jan R. Rutherford	17518/09000	3200

1095,   7590   07/27/2004

NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 430/2
EAST HANOVER, NJ 07936-1080

EXAMINER
BATES, KEVIN T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/780,188	RUTHERFORD ET AL.
	Examiner	Art Unit
	Kevin Bates	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _08 February 2001_.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-21_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-21_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to a communication made on February 8, 2001.

The Power of Attorney was received on January 9, 2003.

Claims 1-21 are pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-8, and 13-21 are rejected under 35 U.S.C. 102(e) as being

anticipated by Rowe (6182129).

Regarding claim 1, Rowe discloses a process for providing, at a client computer

on a web page provided by a host server to the client computer (Column 2, lines 40 –

47; Column 6, lines 7 – 12), content that resides on a server that is remote from the host

server and the client server over a distributed computer system (Column 6, lines 43 –

46), said process comprising the steps of: requesting a web page from the host server

and downloading said requested web page to a client computer (Column 7, lines 56 –

59); parsing said requested web page on said client computer; in response to an

instruction parsed from said requested web page, downloading executable code to said

client computer from a server specified in said instruction (Column 8, lines 19 – 26);

executing said executable code on said client computer (Column 8, lines 23 – 25);

responsively to said executable code, downloading content from said remote server to

said client computer; and displaying said content on said requested web page (Column

9, lines 4 – 12).

Regarding claim 3, Rowe discloses that said code is configured to establish a

connection over said distributed computer system between said client computer and

said remote server and wherein said executing step includes automatically requesting

predetermined said content from said remote server (Column 7, lines 59 – 65; Column

6, lines 42 – 46).

Regarding claim 4, Rowe discloses that said code is configured to generate an

interface between said client computer and said remote server, wherein said executing

step includes establishing said interface on said requested web page, and wherein said

content downloaded from said remote server is based upon user requests received by

said interface (Column 4, lines 30 – 36).

Regarding claim 5, Rowe discloses that said content downloading and said

displaying steps include, forwarding at least one said user request from said client

computer to said remote server, processing said user request by said remote server,

sending a response to said user request from said remote server to said client

computer, and displaying said response to said user request on said requested web

page (Column 4, lines 30 – 36).

Regarding claim 6, Rowe discloses that said requested web page is not

refreshed at said displaying step (Column 9, lines 10 – 13).

Regarding claim 7, Rowe discloses that said executable code is a Java byte code (Column 3, lines 28 – 36).

Regarding claim 8, Rowe discloses that said client computer establishes a Hypertext Transfer Protocol (HTTP) connection with said remote server at said content downloading step (Column 8, line 8).

Regarding claim 13, Rowe discloses a system for displaying, at a client computer on a web page provided by a host server to the client computer (Column 2, lines 40 – 47; Column 6, lines 7 – 12), content that resides on a server that is remote from the host server and the client computer over a distributed computer system (Column 6, lines 43 – 46), said system comprising: a client computer; a host server configured to communicate with said client computer over the distributed computer system, said host server having a web page residing thereon (Column 2, lines 40 – 47; Column 6, lines 7 – 12); a remote server configured to communicate with said client computer over said distributed computer system; data coupled to said remote server (Column 6, lines 42 – 46); a browser at said client computer configured to request, receive and parse said web page; first computer program code residing or encapsulated within said web page, said first code being configured to establish, upon execution of said first code by said browser, a communication connection over said distributed computer system between said browser and said remote server and to request the content (Column 8, lines 23 – 26); and second computer program code residing at said remote server, said second code being configured to receive said content request from said first code through said connection, to obtain the content from said data responsively thereto and to forward the

content to said browser (Column 7, lines 58 – 65; Column 4, lines 30 – 37), wherein

said first code is configured to display the content received from said second code on

said web page (Column 9, lines 4 – 12).

Regarding claim 14, Rowe discloses that said first code is encapsulated within

said web page by instruction code residing at said web page, and wherein said

instruction code is configured to establish a communication connection with said remote

server and to request said first code from said remote server (Column 6, lines 43 – 46).

Regarding claim 15, Rowe discloses that said first code is configured to establish

a connection over said distributed computer system between said client computer and

said remote server and to request predetermined said content from said remote server

(Column 7, lines 57 – 65).

Regarding claim 16, Rowe discloses that said first code is configured to generate

an interface between said client computer and said remote server and to request said

content based upon user requests received by said interface (Column 4, lines 30 – 36).

Regarding claim 17, Rowe discloses that said first code is configured to forward

at least one said user request from said client computer to said remote server, wherein

said second code is configured to process said user request and to send said content

from said remote server to said client computer, and wherein said first code is

configured to display said content on said requested web page (Column 4, lines 30 –

36; Column 9, lines 8 – 13).

Regarding claim 18, Rowe discloses a process for providing, at a client server on

a web page provided by a host server to the client computer (Column 2, lines 40 – 47;

Column 6, lines 7 – 12), content that resides on a server that is remote from the host

server and the client server over a distributed computer system (Column 4, lines 30 –

36), said process comprising the steps of: providing an executable code identifiable by

an instruction code embedded in said web page; responsively to downloading of said

web page to said client computer, parsing of said instruction by said client computer,

and execution of said executable code by said client computer (Column 8, lines 19 –

26), receiving at said remote server a request from said client computer for said content;

downloading said content from said remote server to said client computer for display by

said executable code on said web page (Column 9, lines 4 – 12).

Regarding claim 19, Rowe discloses that said providing step and prior to said

receiving step, downloading said executable code from said remote server to said client

computer (Column 9, lines 4 – 12).

Regarding claim 20, Rowe discloses that said executable code is a Java byte

code (Column 3, lines 28 – 36).

Regarding claim 21, Rowe discloses that said downloading step includes

downloading said content over an HTTP connection between said remote server and

said client computer (Column 8, line 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe.

Regarding claim 2, Rowe does not explicitly indicate that said executable code is downloaded from said remote server. Rowe teaches that the executable code, or the java applet can be located on the web page or some other way of getting the java applet on the client computer (Column 6, lines 55 – 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the remote server to send the executable code instead of the host computer in order to allow the java applet to be downloaded to the client's machine any way possible because it does not matter which server the applet is located on (Column 8, lines 23 – 25).

Claims 9 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe in view of Hirsh (5978799).

Regarding claim 9, Rowe discloses a process for querying, from a web page provided by a host server, a server remote from the host server over a distributed computer system and providing, on the web page, content that resides at the remote server (Column 2, lines 40 – 47; Column 6, lines 7 – 12), said process comprising the steps of: requesting a web page from a host server and downloading said requested web page to a client computer; parsing said requested web page on said client computer; in response to an instruction parsed from said requested web page, downloading an executable code to the client computer (Column 8, lines 19 – 26); executing said executable code on said client computer; responsively to said executable code, establishing a search interface adapted to receive requests on said requested

web page; in response to a said request, establishing a connection over the distributed

computer system between said client computer and said remote server; forwarding said

request from said client computer to said remote server over said connection; sending a

response to said request from said remote server to said client computer (Column 4,

lines 30 - 36; and displaying said content on said search interface (Column 9, lines 4 –

12), but Rowe does not explicitly indicate that said executable code is downloaded from

said remote server, that the requests made to the remote server are search requests,

and that the remote server has a database to be queried for content. Rowe teaches

that the executable code, or the java applet can be located on the web page or some

other way of getting the java applet on the client computer (Column 6, lines 55 – 60). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to allow the remote server to send the executable code instead of the host

computer in order to allow the java applet to be downloaded to the client's machine any

way possible because it does not matter which server the applet is located on (Column

8, lines 23 – 25). Hirsh teaches that an java applet can be used to interface with a

server which runs an application that accepts search requests and queries a database

(Column 1, lines 63 – 67 – Column 2, line 9). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to use Hirsh's teaching on

Rowe's invention in order to have an application that is more organized and reduces

web traffic for normal search engine usage (Column 3, lines 1 – 15).

Regarding claim 10, Rowe discloses that said requested web page is not

refreshed at said displaying step (Column 9, lines 10 – 13).

Regarding claim 11, Rowe discloses that said executable code is a Java byte code (Column 3, lines 28 – 36).

Regarding claim 12, Rowe discloses that said client computer establishes an HTTP connection with said remote server (Column 8, line 8).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6434563 issued to Pasquali, because it teaches combining remote content into a single browser.

U. S. Patent No. 6148330 issued to Puri, because it teaches combining content form many servers into a single browser window.

U. S. Patent No. 6643641 issued to Snyder, because it teaches it accepts interface at a site and received content from remote servers.

U. S. Patent No. 5822539 issued to van Hoff, because it teaches using code to merge documents from many content servers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KB
July 20, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER